

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 12-2004)		ATTORNEY'S DOCKET NUMBER 47623-0006
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION No. (if known, see 37 CFR 1.5) 10/529134

INTERNATIONAL APPLICATION NO. PCT/EP2003/10364	INTERNATIONAL FILING DATE September 18, 2003	PRIORITY DATE CLAIMED September 27, 2002
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TITLE OF INVENTION
FIXING ELEMENT

APPLICANT(S) FOR DO/EO/US
Viktor Zoubek and Vaclav Sasek

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- 3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
- 4. ☒ The US has been elected (Article 31).
- 5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- 6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- 7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
- 8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- 10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
- 11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
- 12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

- 13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- 14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- 15. ☒ A **FIRST** preliminary amendment.
- 16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
- 17. ☒ A substitute specification.
- 18. ☐ A power of attorney and/or change of address letter.
- 19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- 20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- 21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
- 22. ☒ Express Mail Label No. **ER850939849US**
- 23. ☒ Other items or information:

Statement Regarding Submission of Substitute Specification (1 page); Preliminary Amendment (13 pages including 2 Replacement Drawing Sheets); PTO/SB/08A and 08B Forms (2 pages); and Return Receipt Postcard

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/529134</div>		INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; text-align: center;">PCT/EP2003/10364</div>		ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; text-align: center;">47623-0006</div>											
24. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee \$300.00 <input checked="" type="checkbox"/> b) Examination fee \$200.00 <input checked="" type="checkbox"/> c) Search fee \$500.00 <div style="text-align: right; font-weight: bold;">TOTAL OF ABOVE CALCULATIONS = \$1000.00</div>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Applicant use</th> <th style="text-align: left;">Office use</th> </tr> <tr> <td>\$ 300.00</td> <td></td> </tr> <tr> <td>\$ 200.00</td> <td></td> </tr> <tr> <td>\$ 500.00</td> <td></td> </tr> <tr> <td>\$ 1,000.00</td> <td></td> </tr> </table>		Applicant use	Office use	\$ 300.00		\$ 200.00		\$ 500.00		\$ 1,000.00	
Applicant use	Office use														
\$ 300.00															
\$ 200.00															
\$ 500.00															
\$ 1,000.00															
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.															
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE												
- 100 =	/50 =		x \$250.00												
			\$ 0.00												
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$											
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE												
Total claims	- 20 =	0	x \$50.00	\$ 0.00											
Independent claims	- 3 =	0	x \$200.00	\$ 0.00											
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$ 0.00											
TOTAL OF ABOVE CALCULATIONS =				\$ 1,000.00											
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00											
SUBTOTAL =				\$ 1,000.00											
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00											
TOTAL NATIONAL FEE =				\$ 1,000.00											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$ 40.00											
TOTAL FEES ENCLOSED =				\$ 1,040.00											
Amount to be refunded:				\$											
Amount to be charged:				\$											

a. ☒ A check in the amount of \$ 1,040.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is _____

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1061. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Dickinson Wright PLLC
 1901 L Street NW
 Suite 800
 Washington DC 20036
 248-433-7570
 202-659-1559

 SIGNATURE
Michael A. Schaldenbrand

 NAME
47,923

 REGISTRATION NUMBER

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:)
)
Filing Date:)
)
Applicant(s): Viktor Zoubek)
Vaclav Sasek)
)
Group Art Unit:)
)
Title: Fixing Element)
)
Attorney Docket: 47623-0006)

STATEMENT REGARDING SUBMISSION OF
SUBSTITUTE SPECIFICATION

Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450


Dear Sir:

Applicants respectfully submit that the substitute specification attached hereto contains no new matter and therefore complies with 37 CFR § 1.125(b). In accordance with 37 CFR § 1.125(c), both a clean copy of the substitute specification and a copy showing the changes made to the original specification are attached hereto.

Respectfully submitted,

DICKINSON WRIGHT PLLC

Date: March 23, 2005

By: 
Michael A. Schaldenbrand
Reg. No. 47,923

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Washington, DC 20036
(248) 433-7570

MAS/cmw
Enclosures